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MARC DAVIS
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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 MARC DAVIS,

15 Defendant.
16

Case No. 1:21-cr-00206-ADA-BAM

**STIPULATION TO CONTINUE STATUS
CONFERENCE; ORDER**

Date: June 14, 2023

Time: 1:00 p.m.

Judge: Hon. Barbara A. McAuliffe

17 IT IS HEREBY STIPULATED by and between the parties through their respective
18 counsel, Assistant United States Attorney Kimberly A. Sanchez, counsel for plaintiff, and
19 Assistant Federal Defender Erin Snider, counsel for Marc Davis, that the Court may set this
20 matter for a status conference on June 14, 2023, at 1:00 p.m. before the Honorable Barbara A.
21 McAuliffe.

22 The parties agree and request that the Court make the following findings:

- 23 1. On March 14, 2023, the Honorable Ana de Alba denied Mr. Davis's motion to
24 dismiss.
- 25 2. In light of Judge de Alba's order, counsel for Mr. Davis requires additional time
26 to consult with her client regarding his options.
- 27 3. Counsel for Mr. Davis believes that failure to grant the above-requested
28 continuance would deny her the reasonable time necessary for effective preparation, taking into

1 account the exercise of due diligence.

2 4. The government does not object to the continuance.

3 5. The parties anticipate that they will be ready to set the matter for either a change-
4 of-plea hearing or trial at or before the next status conference.

5 6. Based on the above-stated findings, the ends of justice served by continuing the
6 case as requested outweigh the interest of the public and the defendant in a trial within the
7 original date prescribed by the Speedy Trial Act.

8 7. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
9 *et seq.*, within which trial must commence, the time period of April 26, 2023, to June 14, 2023,
10 inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv).

11 **IT IS SO STIPULATED.**

12 Respectfully submitted,

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14 PHILLIP A. TALBERT
United States Attorney

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16 Date: April 19, 2023

/s/ Kimberly A. Sanchez
KIMBERLY A. SANCHEZ
Assistant United States Attorney
Attorney for Plaintiff

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19 HEATHER E. WILLIAMS
Federal Defender

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21 Date: April 19, 2023

/s/ Erin Snider
ERIN SNIDER
Assistant Federal Defender
Attorney for Defendant
MARC DAVIS

ORDER

IT IS SO ORDERED that the status conference is continued from April 26, 2023, to **June 14, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. The time period of April 26, 2023, to June 14, 2023, inclusive, is excludable pursuant to 18 U.S. C. § 3161(h)(7)(A) and (B)(iv). The parties state that they will be ready to set a trial date or a change of plea at the next status conference. Therefore, the Court intends to set a trial date at the next status conference. If the parties do not resolve the case in advance of the next status conference, they shall be prepared to set a trial date at the status conference hearing.

IT IS SO ORDERED.

Dated: April 19, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE